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## Former Official Found Guilty on 4 of Counts in Espionage Trial

By STEPHEN ENGELBERG

Special to The New York Times

BALTIMORE, June 5 — After deliberating for more than 12 hours, a Federal jury today found Ronald W. Pelton guilty of selling highly sensitive intelligence secrets to the Soviet Union.

The jury found Mr. Pelton, a former employee of the National Security Agency, guilty of four counts arising from his meeting with Soviet agents in Vienna in 1983 for what he told two Federal agents was three to four days of written debriefing.

But the jury acquitted him on one count that was based on what prosecutors had charged was a 1980 trip to Vienna for the same purpose.

### No Emotion Is Shown

Today Mr. Pelton showed no emotion as the verdict by the jury of seven men and five women was delivered in Federal District Court here. His attorney said he planned to appeal.

Two jurors appeared visibly upset, and they wiped tears from their eyes as Mr. Pelton stared straight ahead. One of them, Gloria Ross, 20 years old of Baltimore, turned her back to the hushed courtroom as she buried her face in her hands.

Mr. Pelton, who is 44 years old, could be sentenced to life sentences on three counts, of conspiracy, espionage and attempted espionage, as well as 10 years and a fine of \$10,000 for the fourth count, revealing classified material relating to communications intelligence. Federal District Judge Herbert F. Murray scheduled sentencing for July 28.

The case included an extraordinary amount of public testimony by an agency known for its reticence.

William P. Crowell Jr., the agency's senior official responsible for intercepting Soviet signals, told the jurors that the information provided by Mr. Pelton would have allowed the Soviet Union to counteract some of the projects his agency spends hundreds of millions of dollars annually to operate.

As the trial opened last week, American intelligence officials warned the press not to speculate about classified information that the Government decided to release in its efforts to win a conviction.

The case was viewed as a victory for the Justice Department's policy of bringing espionage cases to trial, even

if the evidence involves national security information. Mr. Pelton, formerly a staff officer at National Security Agency who was arrested last Nov. 25, was accused of compromising some of the agency's sensitive projects for intercepting Soviet communications.

These included a document on Soviet signals of which Mr. Pelton was the author. Prosecutors called it an "encyclopedia" of the security agency's successes and failures in intercepting Soviet communications. Mr. Pelton was also accused of revealing five of the agency's projects, one of which was said by an agency witness to have provided a "considerable amount" of intelligence on military plans, maneuvers, and capabilities of Soviet forces.

A limited amount of material was declassified for use as evidence at trial, some of which was released over the objections of senior intelligence officials. John G. Douglass, the assistant United States Attorney who prosecuted the case, said the use of classified information was "carefully prepared and carefully scripted, and it went off as prepared."

Fred Warren Bennett, Mr. Pelton's attorney said his client would appeal the conviction to the United States Court of Appeals for the 4th Circuit and, if necessary to the Supreme Court.

### Concern Over Deliberations

Breckinridge L. Willcox, the United States Attorney in Baltimore, said the Government was "delighted" although he acknowledged the length of the deliberations had worried the prosecutors.

"I think you're always concerned when a jury is out as long as they were out," said Mr. Willcox. "I thought the evidence compelled a guilty verdict and compelled it in less than 12 hours."

The central evidence in the case came from Mr. Pelton's statements to the agents of the Federal Bureau of Investigation in two interviews on Nov. 24, 1985. Mr. Bennett urged the jury to disregard those statements as evidence. He argued that they did not constitute a voluntary confession on the ground that the agents used trickery and deception, hinting that he was being considered for a role as a double agent.

Over the objections of the prosecution, Judge Murray told the jury they could weigh a number of factors in considering whether to disregard the admissions. These included the defendant's physical and mental condition and any threats, implied promises, or other inducements offered by the agents.

### Notes From the Jury

Late Wednesday it appeared that the jury was taking this argument seriously when it sent out a note asking the judge for additional instructions on that issue. Government prosecutors

appeared to relax visibly today when the jury sent out a note at midday asking to examine evidence that Mr. Pelton had deposited \$12,500 in cash to his bank accounts shortly after prosecutors said he received a payment from Soviet agents.

Mr. Bennett said Judge Murray declined his request for a post-verdict interrogation in which the jury would have been asked whether they found beyond a reasonable doubt that the confession was voluntary. He had hoped to obtain this information for use in a possible argument on appeal that the jury did not have sufficient evidence for its verdict.

Mr. Willcox said he believed that the guilty verdicts showed the jury had accepted the confession as voluntary. This verdict "fully vindicates the investigative techniques of the F.B.I.," he said.

The central character in the eight-day trial, Mr. Pelton, had taken the stand in his own defense and he accused the F.B.I. agents of misleading him on whether he could have an attorney present at questioning and whether certain key statements were being used against him.

But Mr. Douglass said Mr. Pelton was a "con man" who was trying to talk his way out of the biggest problem of his life.

According to the agents, Mr. Pelton said going to the Soviet Embassy in Jan. 15, 1980 was the "biggest mistake of his life." Mr. Pelton denied making this statement.

### Life Style of Defendant

Mr. Bennett described his client as a man in the grip of a midlife crisis in 1985 at the time the F.B.I. agents interviewed him. Mr. Pelton, he said, was estranged from his wife and was adopting the life style of the young woman he was seeing. The lawyer said Mr. Pelton was abusing alcohol and drugs and had injected an opiate painkiller just six hours before his final, and most damaging interview with the F.B.I. agents.

According to the prosecution, Mr. Pelton became a spy in 1980, about six months after he had declared bankruptcy and quit the National Security Agency. His financial difficulties arose, Mr. Pelton said, when he tried to build a home for his family and thieves stole the building materials.

About six months later, with his retirement funds spent, about \$13,000, Mr. Pelton made a phone call to Soviet officials, according to prosecutors, offering them something "very interesting."

A tape of that Jan. 14, 1980 phone call, was played to the jury through headphones.

Judge Murray admonished the jurors not to discuss with anyone the information about where the call was intercepted, saying it was classified. He also told the jury not to disclose a map

they had been shown on which Mr. Pelton drew a circle to show F.B.I. agents the location of a project he had revealed to Soviet agents. The location, according to a witness from the National Security Agency, was several hundred miles off but was still sufficient to allow the Soviet technicians to take countermeasures.

F.B.I. agents said Mr. Pelton told them he subsequently met with a Soviet intelligence officer in 1980 and 1983 at the residence of the Soviet Ambassador to Vienna. Agents said he told them he was paid \$35,000 for the material.

William J. Casey, the Director of Central Intelligence, and Lieut. Gen. William Odom, the director of the National Security Agency, reflected the disquiet among intelligence officials when they issued a statement May 28, the day after the trial opened, cautioning reporters against "speculation and reporting details beyond the information actually released at the trial."